

**(2001) 03 NCDRC CK 0026**

**NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION**

**Case No:** None

Union of India

APPELLANT

Vs

KAMAL KUMAR VARSHNEY

RESPONDENT

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**Date of Decision:** March 14, 2001

**Citation:** 2002 1 CPJ 163

**Hon'ble Judges:** K.C.Bhargava , D.D.Bahuguna J.

**Final Decision:** Appeal dismissed

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**Judgement**

1. THIS is an appeal against the judgment and order dated 9.9.1992 passed by District Consumer Forum, Aligarh in Complaint Case No. 431 of 1992.

2. THE facts of the case stated in brief are that the complainant was issued two bills dated 1.7.1991 and 1.9.1991 for Rs. 2,093/- and Rs. 1,936/- respectively. According to the complainant, previous bills were not of such huge amount. THE complainant complained of this fact to the Telephone Department. THE complainant has submitted a list of 10 previous bills in which the maximum bill was of Rs. 827/-.

The opposite party in its written version has alleged that the bills were sent according to meter reading.

The learned District Forum, after considering the case of the parties, came to the conclusion that the bills were of excessive amount and hence it decreed the claim of the complainant.

3. AGGRIEVED against the order of the learned District Forum, the Telecommunication Department has come in appeal and has challenged the correctness of the order passed by the District Forum.

We have heard the learned Counsel for the respondent. None was present on behalf of the appellant even though notice was sent to the appellant by registered post on S.P.S.

4. LEARNED Counsel for the respondent/complainant has argued that in the present case the highest bill was of Rs. 827/-. There is no evidence on record to show that there is S.T.D. connection in this telephone. When the telephone bills of the last 10 months were only of Rs. 827/-, therefore, it cannot be said that the two bills will be more than double the amount. If there is any spurt in the calls, the Telephone Department should see as to how spurt in calls has taken place. The Telephone Department never informed the consumer that the telephone calls in the succeeding months are exceeding the limits of the last bills. Thus in view of the facts of the case on record, the order of the learned District Forum is perfectly right and requires no interference. The appeal is, therefore, liable to be dismissed. ORDER The appeal is dismissed and the judgment and order of the learned District Forum are confirmed. Let compliance of the order be made within a period of two months from today. Let copy as per rules be made available to the parties. Appeal dismissed.